

Regular Meeting, Tuesday, November 25, 2014, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Larry J. Wills, Chairman
Michael L. Shull, Vice-Chairman
Carolyn S. Bragg
David A. Karaffa
Jeffrey A. Moore
Marshall W. Pattie
Tracy C. Pyles, Jr.
Patrick J. Coffield, County Administrator
Timmy Fitzgerald, Director of Community Development
Becky Earhart, Senior Planner
Jennifer M. Whetzel, Director of Finance
Patrick J. Coffield, County Administrator
Patrick J. Morgan, County Attorney
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Tuesday, November 25, 2014, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 239th year of the Commonwealth....

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Chairman Wills welcomed the citizens present.

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Cheyenne Hardy, a seventh grader of Beverley Manor School, led us with the Pledge of Allegiance.

Cheyenne enjoys tether ball, runs, sings in the seventh grade Choir and loves dancing.

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David A. Karaffa, Supervisor for the Beverley Manor District, delivered invocation.

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LARGE ACCESSORY BUILDINGS - ORDINANCE

This being the day and time advertised to consider an ordinance to amend Section 25-72.1, Section 25-122.1 and Section 25-132.1 of the Augusta County Code, to allow accessory structures that do not meet the stated ordinance criteria for accessory structures, to be permitted by special use permit in General Agriculture Districts, Rural Residential Districts, and Single Family Residential Districts, provided that such accessory structure is not out of character with the neighborhood it is to be built in, and is not disproportionately large in relation to other structures located on adjoining or surround properties. The Planning Commissions recommends approval.

Becky Earhart, Senior Planner, advised that this was discussed at Monday's Staff Briefing.

The Chairman declared the public hearing open.

Marco Taylor and J. N. Riddel spoke in support of the ordinance. Mr. Riddel expressed concern of the fee associated with obtaining a permit (\$250). He felt that to be a burden with no guarantees.

There being no other speakers, the Chairman declared the public hearing closed.

Mr. Pyles moved, seconded by Mr. Karaffa, that the Board adopt the following ordinance:

November 25, 2014, at 7:00 p.m.

LARGE ACCESSORY BUILDINGS – ORDINANCE (cont'd)

**AN ORDINANCE TO
TO AMEND SECTIONS 25-72.1, 25-122.1, AND 25-132.1
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Board of Supervisors has deemed it desirable to allow accessory structures that do not meet the established criteria for such structures in General Agricultural Zones, Rural Residential, and Single Family Residential zoning districts by special use permit;

NOW THEREFORE BE IT RESOLVED, that §25-72.1; 25-122.1, and §25-132.1 of the Augusta County Code are amended to read as follows:

§25-72.1 Accessory buildings and uses.

C. Accessory buildings or other accessory structures which do not meet the criteria listed in §25-72.1 A. and B above may be permitted by Special Use Permit provided:

1. The accessory building or structure would not be out of character with the neighborhood or disproportionately large in relation to the size, location and character of other buildings and uses on the lot on which it is to be located and on adjoining and surrounding properties. For purposes of this section, "disproportionately large" shall mean so large as to: (i) be larger than a principal building to which it is accessory; or (ii) appear out of character with surrounding properties.

2. Accessory buildings and structures shall meet the applicable side and rear yard requirements of §25-78.

§25-122.1 Accessory buildings and uses.

C. Accessory buildings or other accessory structures which do not meet the criteria listed in §25-122.1. A. and B above may be permitted by Special Use Permit provided:

1. The accessory building or structure would not be out of character with the neighborhood or disproportionately large in relation to the size, location and character of other buildings and uses on the lot on which it is to be located and on adjoining and surrounding properties. For purposes of this section, "disproportionately large" shall mean so large as to: (i) be larger than a principal building to which it is accessory; or (ii) appear out of character with surrounding properties.

2. Accessory buildings and structures shall meet the applicable side and rear yard requirements of §25-128.

§25-132.1 Accessory buildings and uses.

C. Accessory buildings or other accessory structures which do not meet the criteria listed in §25-132.1. A. and B. above may be permitted by Special Use Permit provided:

1. The accessory building or structure would not be out of character with the neighborhood or disproportionately large in relation to the size, location and character of other buildings and uses on the lot on which it is to be located and on adjoining and surrounding properties. For purposes of this section, "disproportionately large" shall mean so large as to: (i) be larger than a principal building to which it is accessory; or (ii) appear out of character with surrounding properties.

2. Accessory buildings and structures shall meet the applicable side and rear yard requirements of §25-138.

Mr. Karaffa felt it important to identify the reason for the charge of a Special Use Permit. He noted that staff is putting in time to look at the property and Board viewing the property. He said that is how the County recoups the cost.

Mr. Wills added that it is difficult, under State law, to grant variances from setbacks and sizes in ordinances unless it is determined a hardship. "This grants us a way that we can address specific situations where there is a problem."

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LARGE ACCESSORY BUILDINGS – ORDINANCE (cont'd)

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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BARKING DOGS - ORDINANCE

This being the day and time advertised to consider an ordinance to enact section 15-9 to the Augusta County Code to declare that the howling or barking of dogs for more than ten consecutive or non-consecutive minutes in any 30-minute period of time between 12 midnight and 6 a.m. on property zoned Single Family Residential, Attached Residential, Multi-family Residential, Manufactured Home Park, or Planned Unit Development shall constitute loud, disturbing and unnecessary noise and constitute a violation of the County Code. This ordinance will also amend 15-11 of the Augusta County Code by providing that the fine for violating Section 15-9 will be a fine of \$100 for the first offense, \$250 for the second offense in a year, and \$500 for the third and subsequent offenses in any one year.

Patrick J. Morgan, County Attorney, advised that this had been discussed at the Staff Briefing on Monday. This ordinance would determine that a dog barking for more than ten consecutive minutes, or if non-consecutive for a period of 30 minutes between the hours of 12 midnight and 6 a.m., would constitute the violation of the County Noise Ordinance in Residential zones, which are Single Family Residential, Attached Residential, Multi-family Residential, Manufactured Home Park or Planned Unit Development. The ordinance requires either the Sheriff’s Department or Animal Control to give to the owner of the barking dog at least one warning before any violation is cited. Once the warning is given, it would allow them to issue a summons to any person he finds in continued violation. The fine would be \$100 for the first offense, \$250 for the second offense in a year, and \$500 for the third and subsequent offenses in any one year.

The Chairman declared the public hearing open.

Derek Almarode, of the Augusta County Sheriff’s Department, advised that, after reviewing the ordinance, it was the Sheriff’s Department’s opinion that, as it currently stands, it is not enforceable. He noted that by their own nature, dogs bark, and, generally, they bark for specific reasons. They understand that it is a current problem and would be happy to assist the County; however, they are concerned that they cannot enforce it. “These are violations that occur outside of our presence.” He noted approximately 60 calls have occurred this year; these numbers do not take into account the repeated calls. In 2012, call numbers were evaluated and it was determined that 25% of those calls were in affected areas that could be a chargeable offense. If those numbers are relatively the same, that would be 15 calls that would be enforceable. In 2012, a document had been presented to the Board of Supervisors that they believed to be enforceable and suggested that it be reviewed again.

Mr. Pyles asked for explanation of the 2012 document.

Cpl. Almarode explained that it removes the Animal Control Division and the Sheriff’s Office and states “Any citizen having sufficient evidence of violation of one or more of the prohibitions set out in the section above may present such evidence and make affidavit to

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BARKING DOGS – ORDINANCE (cont'd)

the Augusta County Magistrate and request issuance of a summons or warrant based thereon. Corroboration of the alleged violation by the Sheriff's Department or the Animal Control Officers shall not be necessary in order for a citizen to pursue a summons or warrant against another person for such violation. In no event shall this section be construed as a limitation or restriction of any person's right to access the courts or to seek the abatement of violations of this article by any lawful means.

Mr. Karaffa agrees with a first warning being presented to the owner, but suggested that when multiple calls occur that a deputy sit in the area for a while to determine the problem.

Cpl. Almarode said that the issue is the historical problem, which the Sheriff's Department is unaware of. If there is a reoccurring situation, "we cannot validate what you are saying. The simple fact is, when we arrive, we are estranged to that area and the offending dog probably will bark. By their given nature, that's what they do. I respect where the Board is and I respect the ordinance. We're trying to explain to you the enforceability of it. We have offered a draft and have given you a valid alternative." Mr. Karaffa did not agree with the offered draft. He noted that the Ordinance Review Committee reviewed several ordinances in other counties and cities and noted that this ordinance had been mirrored from those. "They all seem to be enforceable."

Speakers in opposition of the ordinance were: Linda Hyden; Remonia Fisher; Trenton Hevener

Ms. Hyden mentioned that there are many things occurring that causes a dog to bark such as animals that come through the property. Ms. Fisher felt that the County allows freedoms that the City does not allow and stated, "Don't move to the County and expect City rules and regulations." Ms. Fisher also expressed concern that if this ordinance were to be approved, there would be a problem of dogs being adopted.

Speakers in support of the ordinance were: Tony Motto, Beth Huddleston

Mr. Karaffa read a letter that he had received from Aaron Gates in support of the ordinance.

Mr. Motto felt that this ordinance was enforceable and encouraged people to come out and give their input as to support or opposition of the ordinance. Ms. Huddleston stated that she did not have a problem with a barking dog, but she did have a problem with owners who would not do anything about it.

There being no other speakers, the Chairman declared the public hearing closed.

Mr. Karaffa moved, seconded by Mr. Moore, that the Board adopt the ordinance presented tonight.

Mr. Karaffa said that this is a reoccurring problem and is not asking for this countywide. He recognized that Augusta County has a large agricultural history and did not want to change that. However, there are small communities with lots close to one another where "dog owners do not respect their neighbors and their animals". "This ordinance is pointed out to a small number of folks who are creating havoc in many other people's lives who live around them." Mr. Karaffa played a portion of a recording from inside Ms. Huddleston's kitchen while he was trying to speak with them and stated that the barking went on for approximately 45 minutes.

Mr. Moore stated that Augusta County is a rural county (973 square miles) and that the ordinance is for Single-Family residential, Attached Residential, Multi-Family Residential, Manufactured Home Park, or Planned Unit Development and that it is not intended for the

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BARKING DOGS – ORDINANCE (cont'd)

rural areas where dogs are protecting livestock or their farm. This is for the more densely populated areas of the County. He stated that this has been the most mentioned topic since he has been on the Board. He felt that there was a responsibility for pet ownership. This ordinance is not intended to now allow dogs to bark if there is a legitimate reason for their barking.

Ms. Bragg echoed Messrs. Karaffa and Moore. She added that you needed to be a good neighbor and not allow pets to bark constantly.

Mr. Pyles mentioned that tonight’s ordinance would add to the workload of an understaffed Sheriff’s Office and preferred the amended ordinance offered by Cpl. Almarode.

Mr. Pattie opposed the ordinance; he felt this ordinance pertained to a small group of people. He did not want to vote on the draft ordinance from Cpl. Almarode without reading it.

Mr. Shull echoed Mr. Pyles and felt that this would cause “retaliation against neighbors”.

Chairman Wills sympathized with those who were experiencing this problem and understood the closeness of neighborhoods. He expressed concern of putting in place an ordinance that the Sheriff’s Department was unable to enforce. He supported tabling this item for further review.

Mr. Karaffa moved, seconded by Mr. Pyles, that the Board table this item to December 10th.

Mr. Moore mentioned that this proposed ordinance by the Sheriff’s Department had been voted down two years ago.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Bragg and Pyles

Nays: Moore

Motion carried.

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REAL ESTATE – TOWN OF CRAIGSVILLE

This being the day and time advertised to consider the conveyance of Augusta County Board of Supervisors’ interest in real and personal property to the Town of Craigsville.

Mr. Morgan advised that this had been discussed at the Staff Briefing on Monday. The Town of Craigsville wants to permanently close the Landfill that it at one time operated. The Town needs to put certain restrictions on the property so that if it is marketed, it will be protected. The Town learned that Augusta County is still part owners of the property; therefore, they have requested that the County deed its interest in the property to the Town so it can more efficiently put the restrictions on the property that is necessary to permanently close the Landfill.

Doug Noland, attorney for the Town of Craigsville, reported that the Town’s engineers who were closing the Landfill had contacted him and stated that DEQ has confirmed that the Landfill is ready to be closed, but two legal requirements existed: 1) plat of record showed certain restrictions, and 2) a deed of record imposing restrictions on the future usage of the property. Augusta County and the Town own approximately ¾ of the

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REAL ESTATE – TOWN OF CRAIGSVILLE (cont'd)

Landfill; ¼ of it was deeded in the 1990's just to the Town. He felt that the easiest way to move forward was to ask the County to deed its ½ interest in the roughly ¾ of the Town and allow the Town to proceed with recording the plat and restrictive covenants. When the deed was written to the Town and Augusta County, there were easements recorded for the benefit of two property owners: Mr. Rowe's predecessor in title which allowed him to get from Route 42 to the Forest Service and to Mr. Rowe's brother for access to get to Route 42 from his property, which is adjacent to the Landfill. Any conveyance and restrictions are made subject to those easements which would remain in place. A portion of an easement may need to be relocated because of the road that was built around the Landfill. There are deeded easements that cross the Landfill that cannot be changed.

The Chairman declared the public hearing open.

Roosevelt Rowe noted that his father had sold property to Craigsville and Augusta County, known as the Craigsville Landfill in 1960's. He said that he had a right-of-way that clarifies a 15-foot right-of-way from Route 42 to the National Forest which is on the property line of the Landfill. An agreement had been made at that time that Mr. Johnson would receive the Landfill when it was deeded to anyone. Since then, Mr. Johnson sold the land and Dave Campbell now owns the property. He is due to receive the Landfill when the Town of Craigsville is satisfied with DEQ and the County. There was nothing put in the agreement or deed for Mr. Rowe's right-of-way. Mr. Noland agrees that he does have a 15-foot right-of-way. After having discussion with the Mayor, Mr. Noland has asked if Mr. Rowe would agree to travel the reconstructed road. Mr. Rowe was agreeable to that, but he would prefer it to go on record that he would like to keep the same right-of-way straight through the Landfill if possible. He did not want Mr. Noland to resubmit plans; whatever he could agree upon with the Town of Craigsville, Mr. Rowe would accept. He basically wanted a way to get across the Landfill.

Chairman Wills understood that Mr. Rowe wanted a right-of-way straight through on the relocated road and asked if that did not pose a danger of it eventually being closed and he having to rebuild a road straight through. Mr. Rowe said that he did not intend on using the road often except for getting a load or wood or using his ATV. He did not see a problem. He noted that there is no debris under this particular right-of-way all the way up to the property line where the two property lines divide. He said it would not make any difference which side of the property the road was on as long as he had access. He wanted to be sure that it was noted in the deed that he had a 15-foot right-of-way. He also wanted his heirs to have access to enable them to go hunting or cut a load of wood. There being no other speakers, the Chairman declared the public hearing closed.

Mr. Pyles moved, seconded by Mr. Shull, that the Board agree to the conveyance of this property to the Town of Craigsville and to ensure there is honor of all existing easements.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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November 25, 2014, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE PUBLIC

Nancy Sorrells thanked the Board for its support of the George Washington National Forest Plan. He reminded the Board that the Plan was several years overdue. When she was on her first term on the Board, the Forest Service was working on the Plan; they hosted a lot of regional meetings and came to local Boards and Councils asking for input. Ten local governments, including Augusta County, submitted letters requesting a ban on horizontal drilling (fracking) to protect the water supplies. Ms. Sorrells distributed to the Board a copy of "Thank You for Preserving the Beauty and Integrity of the George Washington National Forest Today and for Future Generations" and a press release.

Chairman Wills noted that Ms. Sorrells had mentioned there were a few acres in the northwestern part of the County. Ms. Sorrells said there was 10,000 acres that have oil leases that are inactive and may have expired. It is mostly in Charles Fork and edges over to the northwestern part of Augusta County where it touches Highland County. The 167 acres with the underlying mineral rights are also scattered and would require permitting from the State, not from the National Forest.

Patrick J. Coffield, County Administrator, noted a Forest Service joint public meeting with Rockingham County is to occur Tuesday, December 2nd, at 2:00 p.m. at the Airport conference room.

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BRIDGE NAMING SIGNAGE

The Board considered resolution and funding for design, construction and installation of VDOT approved bridge memorial signage for Route 636, LifeCore Drive.

Funding Source: Contingency Account #92040-9999 \$1,000

Chairman Wills asked Mr. Shull to read the resolution.

Mr. Shull moved, seconded by Mr. Moore, that the Board adopt the following resolution:

RESOLUTION

WHEREAS, Dennis O. Burnett was a resident of Augusta County; and

WHEREAS, Dennis O. Burnett was hired as Augusta County's first Economic Development Director in September of 2009; and

WHEREAS, for four years Dennis O. Burnett worked tirelessly to promote Augusta County; and

WHEREAS, during this time Dennis O. Burnett was successful in bringing new industry and expanding existing industries in Augusta County; and

WHEREAS, Dennis O. Burnett was specifically instrumental in the recruitment of Shamrock Farms and Dascom Americas, as well as the expansions of Daikin Applied, McKee Foods, and Hollister Incorporated among others; and

WHEREAS, prior to leaving Augusta County to lead the Shenandoah Valley Partnership in September of 2013, Dennis O. Burnett was involved in the creation of over 500 jobs and \$134 million investment; and

WHEREAS, Dennis O. Burnett was also instrumental in the initiation of the LifeCore Corridor and the establishment of the Murphy Deming College of Health Sciences along the Corridor; and

WHEREAS, Dennis O. Burnett's vision for the LifeCore Corridor centered around the construction of Route 636 LifeCore Drive and, with its construction the opportunity for additional development along the Corridor; and

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BRIDGE NAMING SIGNAGE (cont'd)

WHEREAS, Dennis O. Burnett passed away suddenly on October 21, 2014, at the young age of 49;

NOW, THEREFORE, BE IT RESOLVED, meeting in Regular Session on November 25, 2014, the Augusta County Board of Supervisors celebrates and honors the life and accomplishments of Dennis O. Burnett;

BE IT FURTHER RESOLVED, that the Augusta County Board of Supervisors wishes to express its sincere condolences to Dennis' wife of 26 years Cynthia along with his other immediate and extended family; and

BE IT FURTHER RESOLVED, that the Augusta County Board of Supervisors, by copy of this Resolution, hereby request that the Commonwealth Transportation Board name the bridge over the CSX Railroad, on Route 636, LifeCore Drive, in Augusta County Virginia, the "Dennis O. Burnett Memorial Bridge"; and

BE IT FURTHER RESOLVED, that the Augusta County Board of Supervisors has agreed to pay the cost and expense associated with the placement of appropriate markers; and

BE IT STILL FURTHER RESOLVED, that a copy of this Resolution be presented to the family of Dennis O. Burnett and spread upon the minutes of the Augusta County Board of Supervisors.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

 Nays: None

Motion carried.

Chairman Wills added that they are still feeling the loss of Mr. Burnett and appreciated Mr. Vaughan and Ms. Ragon being present tonight.

Timmy Fitzgerald, Director of Community Development, stated that the Route 636 project will be completed early February. Upon completion, there will be a ribbon cutting ceremony for the project; at that time, there will be a formal bridge naming memorial and presentation of the resolution to Mr. Burnett's wife.

Maggie Ragon, on behalf of the Burnett family, expressed that the Vaughans and Mr. Campbell would like to thank the Board for taking action on the resolution. "As you all know, Dennis was tireless and more than an enthusiastic supporter of Augusta County and Fishersville, in particular, so thank you very much for taking action on this."

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ECONOMIC DEVELOPMENT AUTHORITY – SMALL BUSINESS LOAN FUND

The Board considered support of the Economic Development Authority's Memorandum of Understanding with the Staunton Creative Community Fund to establish a Small Business Loan Fund for Augusta County.

Amanda Glover, Director of Economic Development, reported that this had been discussed at Monday's Staff Briefing. She added that the Economic Development Authority is requesting the Board's support of the Memorandum of Understanding with the Staunton Creative Community Fund that will establish a small business loan fund that will help entrepreneurs in Augusta County to access micro-loans ranging from \$1,000 to \$10,000. This tool is needed in the business community and will help more start-ups, which is the Authority's priority for Augusta County and consistent with the Economic Development Strategic Plan. The funds for this program will come from the EDA Treasury. Legal counsel and staff from both entities have worked collaboratively to develop this agreement. With the Board's support, they will begin advertising this opportunity in early 2015.

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ECONOMIC DEVELOPMENT AUTHORITY – SMALL BUSINESS LOAN FUND
(cont'd)

Mr. Karaffa added that the EDA Board has been working on this for the last three years. “Mr. Burnett worked very closely with them on this and, now, Ms. Glover, so I am happy to see it move forward. I think it will be a great asset for folks in our community who want to start a small business and now they will have the means to get there. I’m excited to see what they come up with.”

Mr. Karaffa moved, seconded by Mr. Moore, that the Board approve the request.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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AUGUSTA COUNTY SERVICE AUTHORITY

The Board considered contribution to offset cost toward the Emery and Garrett Groundwater Investigations, LLC, report.

Funding Sources:	Pastures Infrastructure Account #80000-8014-92	\$2,000
	Wayne Infrastructure Account #80000-8019-90	\$2,000

Mr. Coffield advised that this had been discussed at Monday’s Staff Briefing.

Mr. Pyles moved, seconded by Mr. Moore, that the Board approve the request.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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ASSESSMENT REFUND

The Board considered refund as certified by the Commissioner of Revenue and approved by County Attorney for the following:

Walter K. Saufley \$3,426.09

Mr. Morgan advised that this had been discussed at Monday’s Staff Briefing. He added that the Commissioner of Revenue is asking the Board of Supervisors to authorize a refund of taxes paid by Mr. Saufley for 2012, 2013 and the first half of 2014. In accordance to the State Code Section 58.1-3981, she is unable to authorize a refund in excess of \$2,500. He noted that the Veterans Administration has determined that he is a 100% service-connected disabled World War II Veteran and the disability was found to have commenced January 1, 2012. Based on the Constitution and the State Code, as of the determination of his being 100% service-disabled, his property should be tax exempt.

Mr. Karaffa moved, seconded by Mr. Shull, that the Board approve the request.

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ASSESSMENT REFUND

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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AID TO COMMONWEALTH

The Board considered election for State reduction of aid to localities per State law.

Funding Source: Aid to Commonwealth Account #92020-9996 \$120,187

Jennifer Whetzel, Director of Finance, reported the General Assembly passed legislation to reinstate a reduction in Aid to Localities Funding. The statewide total is \$30 million and Augusta County’s portion is \$120,187 for Fiscal Year 2015. The Department of Planning and Budget requires the County to pass an election of how the funds will be reimbursed to the State. In the previous five years, the County has cut a check back for the total to the State. This will be an adjustment in the FY2015 revised budget and we would reinstate the expenditure line item “Aid to Localities”. Ms. Whetzel recommended that the County, again, cut the check back to the State by December 31st in accordance to the guidelines.

Mr. Pyles moved, seconded by Ms. Bragg, that the Board approve the recommendation.

Mr. Pyles asked that the newspapers note that “this is welfare to the State. They don’t have the wherewithal to make cuts so they just have us send them money. It’s just a bad way to do business. If you think something ought to be funded, then you ought to come up with the money to fund it. County funds are used for Schools, Law Enforcement, Fire and Rescue and all the things that we do. All the things that we do come straight from our taxpayers. They thought it was better to hit us with \$30 million than to reduce their tax credit for land preservation by \$30 million for the year. It is unconscionable considering what we do with our \$30 million as opposed to what they’re giving away for what they do. It ought to get more attention that our legislators are saying, ‘We can’t balance our books but you need to get more money and send it to us’ is just wrong.”

Vote was as follows: Yeas: Pattie, Shull, Wills, Moore, Bragg and Pyles

Nays: Karaffa

Motion carried.

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EMPLOYEE HEALTH INSURANCE

The Board considered SAW resolution for 2015 policy. Staff recommends Option 1 (Self-insured with separate quotes).

Mr. Coffield advised that this had been discussed at Monday’s Staff Briefing.

Mr. Pyles moved, seconded by Mr. Karaffa, that the Board approve Option 1.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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STUARTS DRAFT CHRISTMAS LIGHTING

The Board considered request to utilize South River District Infrastructure funding to assist with lighting project.

Funding Source: South River Infrastructure Account #80000-8016-80 \$1,500

Mr. Coffield reported that this had been discussed at Monday’s Staff Briefing. He noted that Ms. Bragg has a collaborative arrangement with a number of civic organizations in Stuarts Draft to move forward with holiday wreaths. The first step in that process is to work with Virginia Power to have the appropriate fixtures attached to the designated poles at a cost of approximately \$1,500. A Virginia Power volunteer has expressed his willingness to use Virginia Power equipment, on his own time, to install what is needed.

Ms. Bragg moved, seconded by Mr. Karaffa, that the Board approve the request.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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Chairman Wills asked that the Watch for Children Signage item be removed from the Consent Agenda.

Mr. Karaffa moved, seconded by Mr. Shull, that Watch for Children Signage item be removed from the Consent Agenda.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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WATCH FOR CHILDREN SIGNAGE – ENTRANCE TO LOVING ACRES

The Board considered request for Loving Acres residents in South River District to grant “Watch for Children” signage. Estimate cost: \$150 per sign (2).

Funding source: South River Infrastructure Account #80000-8016-81 \$300

Ms. Bragg reported that a local community has expressed its desire to install a “Watch for Children” sign. She has viewed the area and supports the request.

Ms. Bragg moved, seconded by Mr. Moore, that the Board approve the request.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

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WAIVERS/VARIANCES – NONE

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CONSENT AGENDA

Chairman Wills explained the procedure for the Consent Agenda to the public.

Mr. Karraffa moved, seconded by Ms. Bragg, that the Board approve the consent agenda as follows:

MINUTES

Approved minutes of the following meetings:

- Regular Meeting, Wednesday, November 12, 2014

STREET ADDITIONS

Accepted the recommendation of the County Administrator and adopted the following resolutions for addition of streets into the secondary road system:

AUTUMN BREEZE SUBDIVISION - STREET ADDITION

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **AUTUMN BREEZE SUBDIVISION** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Birdale Drive, State Route Number 2043
 From: Route 2042
 To: 0.10 miles west to intersection of Route 2042
 Length: 0.10 miles

Briar Creek Circle, State Route Number 2042
 From: 0.40 miles south to intersection of Route 2041
 To: 0.07 miles south of Route 2041
 Length: 0.07 miles

Briar Creek Circle, State Route Number 2042
 From: 0.33 miles south of Route 2041
 To: 0.40 miles south to intersection of Route 2041
 Length: 0.07 miles

Autumn Bluff Drive, State Route Number 2041
 From: Route 256
 To: 0.09 miles, west of Route 256
 Length: 0.09 miles

Briar Creek Circle, State Route Number 2042
 From: Route 2041
 To: 0.08 miles, south of Route 2041
 Length: 0.08 miles

Autumn Bluff Drive, State Route Number 2041
 From: 0.21 miles, west of Route 256
 To: 0.24 miles, west of Route 256
 Length: 0.03 miles

Autumn Bluff Drive, State Route Number 2041
 From: 0.09 miles, west of Route 256
 To: 0.21 miles, Route 256
 Length: 0.12 miles

Briar Creek Circle, State Route Number 2042
 From: 0.08 miles, south of Route 2041
 To: 0.33 miles, south of Route 2041
 Length: 0.25 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Instrument 120004462, Pages 8243-8251, recorded May 24, 2012.

November 25, 2014, at 7:00 p.m.

CONSENT AGENDA (cont'd)

STREET ADDITIONS (cont'd)

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

* * *

VESPER VIEW, SECTION 5 - STREET ADDITION

WHEREAS, that the County and the Virginia Department of Transportation have entered into an agreement on August 26, 1996, for comprehensive stormwater detention which applies to this request for addition.

WHEREAS, VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the following streets in **VESPER VIEW, SECTION 5** into the secondary road system of Augusta County pursuant to Section 33.1-229 of the Code of Virginia (1950) as amended:

Water Street, State Route Number 1433
 From: 0.04 miles north of Route 1431
 To: Intersection with Route 1340
 Length: 0.00 miles

Water Street, State Route Number 1433
 From: Intersection with Route 1431
 To: 0.04 miles north of Route 1431
 Length: 0.00 miles

Water Street, State Route Number 1433
 From: Intersection with Route 1432
 To: Intersection with Route 1431
 Length: 0.05 miles

Wedgewood Drive, State Route Number 1386
 From: Interstate with Route 1432
 To: Existing Wedgewood Drive, Route 1386
 Length: 0.04 miles

Laurel Wood Drive, State Route Number 1431
 From: Intersection of U.S. 340
 To: 0.14 miles, east of U.S. 340
 Length: 0.14 miles

Primrose Court, State Route Number 1432
 From: Intersection with Route 1433
 To: Intersection with Route 1386
 Length: 0.04 miles

Lady Slipper Drive, State Route Number 1432
 From: Intersection with Route 1431
 To: Intersection with Route 1433
 Length: 0.17 miles

Lady Slipper Drive, State Route Number 1432
 From: 0.02 miles, east of intersection with Route 1431
 To: Intersection with Route 1431
 Length: 0.02 miles

Laurel Wood Drive, State Route Number 1431
 From: 0.14 miles, east of U.S. 340
 To: Intersection of Route 1432
 Length: 0.20 miles

Primrose Court, State Route Number 1432
 From: Intersection with Route 1386
 To: End of cul-de-sac
 Length: 0.05 miles

AND FURTHER BE IT RESOLVED, that the Board does guarantee the Commonwealth of Virginia an unrestricted right-of-way of 50 feet with necessary easements for cuts, fills, and drainage as recorded in Plat Book 1, Instrument 050008040, Pages 6104-6106, recorded June 13, 2005.

AND FURTHER BE IT RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

November 25, 2014, at 7:00 p.m.

CONSENT AGENDA (cont'd)

* * *

ORDINANCE REVIEW COMMITTEE RECOMMENDATION

The Board considered advertisement of ordinance for backyard chickens in residential districts.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

* * * * *

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Karaffa:

- 1. Happy Thanksgiving – “thankful for staff, County Administrator, Board members, and the wonderful people in Augusta County”

* * *

- 2. PARKS AND RECREATION COMMISSION - APPOINTMENT

Mr. Karaffa moved, seconded by Mr. Moore, that the Board appoint Terry Kelley, to serve a term on the Parks and Recreation Commission, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles

Nays: None

Motion carried.

* * *

- 3. AUGUSTA COUNTY SERVICE AUTHORITY - APPOINTMENT

Mr. Karaffa moved, seconded by Mr. Moore, that the Board appoint Michael L. Shull, to serve a term on the Augusta County Service Authority, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Wills, Moore, Bragg and Pyles

Abstained: Shull

Motion carried.

* * *

Mr. Moore: Thankful for Ms. Bragg stepping forward as part of the Board.

Ms. Bragg:

- 1. Happy Thanksgiving

- 2. PLANNING COMMISSION - REAPPOINTMENT

Ms. Bragg moved, seconded by Mr. Karaffa, that the Board reappoint Stephen N. Bridge, to serve a term on the Planning Commission, to begin January 1, 2015 and expire June 30, 2016.

November 25, 2014, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (cont'd)

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg
and Pyles

Nays: None

Motion carried.

* * *

3. AGRICULTURE INDUSTRY BOARD - REAPPOINTMENT

Ms. Bragg moved, seconded by Mr. Karaffa, that the Board reappoint Walter Winkler, to serve a term on the Agriculture Industry Board, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg
and Pyles

Nays: None

Motion carried.

* * *

Mr. Pyles:

PLANNING COMMISSION - REAPPOINTMENT

Mr. Pyles moved, seconded by Mr. Shull, that the Board reappoint Taylor A. Cole, to serve a term on the Planning Commission, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg
and Pyles

Nays: None

Motion carried.

* * *

Mr. Pattie: Happy Thanksgiving.

* * *

Mr. Shull:

1. Happy Thanksgiving – Thanks to staff. “It has been a good year and, hopefully, it will continue.”

* * *

2. AGRICULTURE INDUSTRY BOARD - REAPPOINTMENT

Mr. Shull moved, seconded by Mr. Moore, that the Board reappoint Bud Shaver, to serve a term on the Agriculture Industry Board, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg
and Pyles

Nays: None

Motion carried.

November 25, 2014, at 7:00 p.m.

* * *

3. AUGUSTA COUNTY SERVICE AUTHORITY - REAPPOINTMENT

Mr. Shull moved, seconded by Mr. Moore, that the Board reappoint David Karaffa, to serve a term on the Augusta County Service Authority, to begin January 1, 2015 and expire June 30, 2016.

Vote was as follows: Yeas: Pattie, Shull, Wills, Moore, Bragg and Pyles

Abstained: Karaffa

Motion carried.

* * *

Chairman Wills:

- 1. Happy Thanksgiving! – Thankful for staff and Board members and citizens who are interested in coming to the meetings and giving their input.
- 2. Joint meeting with School Board – December 3rd, at 6:00 p.m. to 10:00 p.m. in the South Board room

Mr. Moore noted that Betty Hawpe was not present tonight and that the Board missed her.

* * * * *

MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

- 1. December 3rd Joint Meeting Agenda distributed to Board.
- 2. Becky Earhart, Senior Planner, stated that at the November 11th Planning Commission meeting, the Planning Commission reviewed the Draft Comprehensive Plan Update. The Planning Commission suggested a joint worksession on the Update to review with the Board the highlights of the changes being recommended to the Plan, as well as the map changes that are being recommended to the Planning Policy Area and Future Land Use maps. Once the worksession is completed and any additional changes made to the draft, the Planning commission is recommending the County hold a joint public hearing to consider the adoption of the Update. It was the consensus of the Board that a public hearing would be held after the Pipeline public hearing.

* * * * *

CLOSED SESSION

On motion of Mr. Shull, seconded by Mr. Moore, the Board went into closed session pursuant to:

- (1) **the personnel exemption under Virginia Code § 2.2-3711(A)(1)**
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

A) Personnel

On motion of Mr. Karaffa, seconded by Mr. Moore, the Board came out of Closed Session and adjourned subject to the call of the Chairman.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Bragg and Pyles
Nays: None

Motion carried.

* * * * *

November 25, 2014, at 7:00 p.m.

CLOSED SESSION (cont'd)

The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Pattie, Karaffa, Wills, Moore, Shull, Bragg and Pyles
NAY: None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

* * * * *

ADJOURNMENT

There being no other business to come before the Board, Mr. Karaffa moved, seconded by Mr. Moore, the Board adjourned subject to call of the Chairman.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Moore, Bragg, Wills and Pyles

Nays: None

Motion carried.

* * * * *

Chairman

County Administrator